

Remarks

This Application has been carefully reviewed in light of the Final Office Action ("Office Action") mailed May 19, 2006. Applicants believe all pending claims are allowable without amendment and respectfully provide the following remarks. Applicants respectfully request reconsideration and allowance of all pending claims.

The Claims are allowable over Khan under 35 U.S.C. § 103(a)

The Examiner rejects Claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0018078 A1 to Khan, et al. (the "*Khan Publication*"). Applicants respectfully disagree.

A. The Rejection of Claims 1-20 Based on Subject Matter in the *Khan Publication*, not Supported by the *Khan Provisional Application*, is Improper.

As Applicants have indicated in two previous responses mailed on July 29, 2005 and February 27, 2006, the *Khan Publication* has an actual filing date after the effective filing date of the present application. Therefore, the *Khan Publication* is not prior art and cannot be used to reject Applicants' claims under 35 U.S.C. § 102(e) unless there is proper support for the subject matter in Provisional Application 60/209,873 (the "*Khan Provisional Application*").

Nevertheless, the Examiner has repeatedly cited to the *Khan Publication* to support the rejection of Claims 1-20. For example, in this Office Action, the Examiner cites to eleven specific portions of the *Khan Publication* without identifying any proper support for these portions in the *Khan Provisional Application*. (Office Action, Pages 2-9). Only in one paragraph of the "Response to Arguments" section does the Examiner identify any support in the *Khan Provisional Application* for the rejection of Claims 1-20. (Office Action, Page 9). Applicants respectfully submit that the two portions of the *Khan Provisional Application* identified by the Examiner fail to provide proper support for the eleven portions of the *Khan Publication* relied upon by the Examiner. Furthermore, as discussed below, the two portions of the *Khan Provisional Application* identified by the Examiner in the "Response to Arguments" section fail to disclose, teach, or suggest each and every limitation recited in Claims 1-20.

Applicants respectfully submit that the rejection of Claims 1-20, based on the citations to the *Khan Publication* without any identification of support in the *Khan Provisional Application*, is improper. See M.P.E.P. §§ 706.02(f)(1) and 2106.03. Accordingly, Applicants herein incorporate the arguments presented in the previous responses and specifically address the Examiner's "Response to Arguments" paragraph below.

B. The *Khan Provisional Application* Fails to Disclose, Teach, or Suggest Various Limitations Recited in Independent Claims 1, 9, and 14-17.

The *Kahn Provisional Application* discloses a method for generating a customized network interface. (Page 3, Lines 3-4). The disclosed method allows a user to select a web page from a list or by specifying its URL. (Page 20, Line 20). The disclosed method then allows the user to select portions of the web page, drag the selected portions into an information screen, and then store the information screen for later retrieval. (Page 3, Lines 6-10 and 22-24). For example, the user can select a hyperlink from the web page and drag the hyperlink into the information screen. (Page 18, Lines 16-26).

In contrast, independent Claim 1 recites:

A method for defining a composite web page, comprising:
identifying a web page;
analyzing the web page to determine a list of the associated elements;
presenting the list to a user;
receiving a user selection of one or more associated elements from the list; and
registering the user selection.

The Examiner asserts that the user selecting the hyperlinks from numerous web pages "can be interpreted as an analyzing process from which results a list of elements that are associated with the web page." (Office Action, Page 9). The Examiner further asserts that the hyperlinks selected by the user can be construed as the list of associated elements "that can then be further selected for accessing desired information." (*Id.*) Applicants respectfully disagree.

Even if the hyperlinks disclosed in the *Khan Provisional Application* could be

properly construed as elements associated with the web page (which Applicants do not concede), the *Khan Provisional Application* discloses that this list is generated by the user selecting the hyperlinks from numerous web pages. This list is not generated by “*identifying a web page*” and “*analyzing the web page.*” Furthermore, the *Khan Provisional Application* discloses that the user drags and drops the hyperlinks into the information screen, but does not disclose that any of the hyperlinks in the list of hyperlinks are then selected and registered. Therefore, to the extent that a hyperlink could be construed as an “associated element” and this user generated list of hyperlinks could be construed as the “list of associated elements,” the *Khan Provisional Application* fails to disclose “*receiving a user selection of one or more associated elements from the list; and registering the user selection,*” as recited in Claim 1. Independent Claims 1, 9, and 14-17 are allowable for at least this reason.

As an alternative construction, the Examiner asserts that the list of web pages disclosed in the *Khan Provisional Application* can be properly construed as the “list of the associated elements,” as recited in independent Claim 1. Applicants respectfully disagree.

If the list of web pages disclosed in the *Khan Provisional Application* could be construed as “the list of associated elements,” as recited in Claim 1, then each web page in the list must be construed as an “associated element.” However, the *Khan Provisional Application* does not disclose identifying a web page and analyzing the web page to determine a list of web pages. Rather, the *Khan Provisional Application* merely discloses that a user is allowed to select a web page from a list. (Page 20, Line 20). In contrast, Claim 1 recites “*identifying a web page;*” and “*analyzing the web page to determine a list of the associated elements.*” Applicants respectfully submit that selecting a web page from a list cannot properly be construed as identifying a web page and determining a list of elements associated with the web page. Independent Claims 1, 9, and 14-17 are allowable for at least this additional reason.

Dependent Claims 2-8, 10-13, and 18-20 depend from independent Claims 1 and 9, shown above to be allowable. For at least this reason, dependent Claims 2-8, 10-13, and 18-20 are also allowable.

For at least these reasons, Applicants respectfully request reconsideration and allowance of Claims 1-20.

C. The Khan Provisional Application Fails to Disclose, Teach, or Suggest Various Limitations Recited in Independent Claims 14 and 16.

Independent Claim 14 recites:

A system for defining a composite web page, comprising:
a processor;
a memory coupled to the processor storing processor executable instructions to control the operation of the processor;
the processor executable instructions including:
instructions to identify a web page, the web page referencing at least one associated element;
instructions to analyze the web page to determine a list of the associated elements;
instructions to present the list to a user;
instructions to receive a user selection of one or more associated elements from the list, the selected elements for display on a composite web page; and
instructions to register the user selection.

Independent Claim 16 recites:

A computer-readable storage medium encoded with processing instructions for defining a composite web page, including:
computer readable instructions for identifying a web page;
computer readable instructions for analyzing the web page to determine a list of the associated elements;
computer readable instructions for presenting the list to a user;
computer readable instructions for receiving a user selection of one or more associated elements from the list; and
computer readable instructions for registering the user selection.

The Examiner asserts that the user selecting the hyperlinks from numerous web pages “can be interpreted as an analyzing process from which results a list of elements that are associated with the web page.” (Office Action, Page 9). However, even if the user selecting the hyperlinks could be construed as “analyz[ing] the web page to determine a list of the associated elements” (which, as shown above, it clearly cannot), the user selection clearly cannot be construed as “*processor executable instructions . . . to analyze the web page to*

determine a list of the associated elements," as recited in independent Claim 14. Nor can the user selection be construed as "*computer readable instructions for analyzing the web page to determine a list of the associated elements,*" as recited in independent Claim 16. The Examiner's alternative construction fails for similar reasons. Independent Claims 14 and 16 are allowable for at least these additional reasons.

For at least these additional reasons, Applicants respectfully request reconsideration and allowance of Claims 14 and 16.

D. The Khan Provisional Application Fails to Disclose, Teach, or Suggest Limitations Recited in Claims 18 and 20.

As discussed above, the Examiner asserts that the user selecting the hyperlinks from numerous web pages "can be interpreted as an analyzing process from which results a list of elements that are associated with the web page." (Office Action, Page 9). However, even if this user selection could be properly construed as "analyzing the web page to determine a list of the associated elements" (which, as shown above, it clearly cannot), this user "drag and drop" selection cannot be construed as including "*parsing HTML source code of the web page,*" as recited in dependent Claims 18 and 20. Dependent Claims 18 and 20 are allowable for at least this additional reason.

For at least this additional reason, Applicants respectfully request reconsideration and allowance of Claims 18 and 20.

Conclusion

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner believes that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Samir A. Bhavsar, Attorney for Applicants, at the Examiner's convenience at (214) 953-6581.

Although no fees are believed due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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